

Court of Appeals, State of Michigan

ORDER

Asad Habib v Caroline Habib

Docket No. 278493

LC No. 06-002044-DM

David H. Sawyer
Presiding Judge

William B. Murphy

Joel P. Hoekstra
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The Court further orders that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is GRANTED for the reason that the trial court failed to consider less drastic sanctions other than entry of a default judgment. *Vincencio v Ramirez*, 211 Mich App 501, 506-507; 526 NW2d 280 (1995).

The default judgment is SET ASIDE and the cause is REMANDED for trial.

We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 06 2007

Date

Sandra Schultz Mengel
Chief Clerk